

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 365 be amended to read as follows:

- 1 Page 37, delete lines 31 through 42, begin a new line block indented
2 and insert:
3 **"(2) the law enforcement officer or employee of the**
4 **department had probable cause to believe the parent,**
5 **guardian, or custodian was impaired, intoxicated, or under**
6 **the influence of drugs or alcohol immediately before or at the**
7 **time of the child's death;**
8 **(3) a law enforcement officer or an employee of the**
9 **department requests, not later than three (3) hours after the**
10 **death of the child, the parent, guardian, or custodian to**
11 **submit to a drug or alcohol screen test; and**
12 **(4) the parent, guardian, or custodian did not submit to a drug**
13 **or alcohol screen test within three (3) hours after the request**
14 **by a law enforcement officer or employee of the department;".**
15 Page 38, delete lines 1 through 2.
16 Page 38, line 3, delete "is prima facie" and insert "**may be used to**
17 **determine**".
18 Page 38, line 4, delete "evidence".
19 Page 38, line 6, delete "." and insert "**for the purpose of the**
20 **determination required under IC 31-33-8-12.**".
 (Reference is to SB 365 as printed February 13, 2009.)

Senator LANANE